

REMARKS

Applicant files concurrently herewith a Request for Continued Examination (RCE) in response to the Final Office Action mailed December 20, 2004. By this Amendment, Applicant amends claims 1, 4, 7, 13, 14, 18, and 24-26. Claims 1-26 are pending.

In the Final Office Action, the Examiner rejected claims 1-26 under 35 U.S.C. § 102(e) as being anticipated by Cochran (U.S. Patent No. 5,995,979). Applicant respectfully traverses these rejections for the reasons below.

Applicant wishes to thank Examiner Coby for allowing Applicant's representatives to discuss the pending claims during a telephonic interview on March 21, 2005. During the interview, the Examiner clarified his rejection under 35 U.S.C. § 102. Specifically, the Examiner indicated that language "to process the search queries against the stored information and to provide a list of terms used in the search queries presented over a period of time to be selectively added to the stored information," as recited in claim 1, suggested that "the search term that is used against the stored[d] information rather than (claim 1) storing the search terms in the stored information." Interview Summary of March 21, 2005 at p. 3. Further, the Examiner alleged during the Interview that Cochran's teaching of "lists" of search terms constituted the claimed "stored information." Although Applicant traverses the Examiner's characterization of claim 1, to expedite prosecution, Applicant has amended claim 1 to indicate "wherein the list of terms are selectively added to the stored information against which the search queries are processed." Cochran fails to teach these features. Claims 4, 7, 13, 14, 18, and 24-26 although of different scope, have been amended to recite elements similar to that discussed above with regard to claim 1.

Further, regarding claim 23, Cochran fails to disclose “adding at least one term selected from the list based on frequency of occurrence to at least one document containing the term as a meta-tag.” That is, even if the Examiner’s characterization of Cochran as teaching updating lists of search terms is correct, Cochran fails to teach “adding at least one term selected from the list based on frequency of occurrence to at least one document containing the term as a meta-tag,” as recited in claim 23. Moreover, Cochran also fails to teach “select[ing] from the list based on frequency of occurrence,” as recited in claim 1. On page 17 of the Final Office Action, the Examiner states “[s]ince Cochran selected, processed and added all the terms and Cochran did not make any distinction between the higher and lower term frequencies; therefore, at one point in Cochran the highest term is selected, processed and added to the lists.” However, it is clear from the Examiner’s statement that “Cochran did not make any distinction between the higher and lower term frequencies” that the Examiner has failed to show that Cochran teaches “select[ing] from the list based on frequency of occurrence,” as recited in claim 23.

Because the cited art does not teach disclose these features, Applicant respectfully requests the Examiner to withdraw the rejections of the pending claims under 35 U.S.C. § 102(e).

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of claims 1-26.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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